



**Jim Doyle, Governor**  
**Mary P. Burke, Secretary**

## Wisconsin Department of Commerce, Bureau of PECFA

### Bid Document

#### SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

**Bid Round:** 44  
**Comm #:** 53807-1400-22  
**BRRTS #:** 02-22-176594  
**Site Name:** Cuba City Oil Co Bulk Plant  
**Site Address:** 522 S Clinton St, (608) 663-1045, 53807  
**Site Manager:** Jon Heberer  
**Address:** P.O. Box 8044  
**City, State Zip:** Madison, Wisconsin 53708-8044  
**Phone:** (608) 261-5405  
**e-mail:** [mailto: Jon.Heberer@Wisconsin.Gov](mailto:Jon.Heberer@Wisconsin.Gov)  
**Bid Manager:** Jon Heberer  
**Address:** P.O. Box 8044  
**City, State Zip:** Madison, Wisconsin 53708-8044  
**Phone:** (608) 261-5405  
**e-mail:** [mailto: Jon.Heberer@Wisconsin.Gov](mailto:Jon.Heberer@Wisconsin.Gov)

<b>Bid-Start Date:</b>	<b>July 17, 2006</b>
<b>Questions must be received by (See Section 2 (B)):</b>	<b>July 31, 2006, 4:00 PM</b>
<b>Responses will be posted by (See Section 2 (B)):</b>	<b>August 18, 2006</b>
<b>Bid-End Date and Time:</b>	<b>September 01, 2006, 4:00 PM</b>

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

**Action Legal-Madison, 1 E Main, Madison, WI 53703**

**Phone: (608) 663-1041**

**Fax: COPY\_FAX**

## **SECTION 2 – Site-Specific Bid Requirements**

### **A) Bid Manager Comments**

#### **1) General Comments:**

Cuba City Oil Bulk Plant is located at McKinley and Clinton Street, Cuba City. Ten aboveground storage tanks with capacities of 10,000 gallons or 15,000 gallons for unleaded gasoline, diesel or fuel oil and the associated piping have reportedly been abandoned by removal at the site as of July 2001. Site investigation activities have been conducted at the site from October 1997 through September 2002.

Unconsolidated deposits consisting of silts, clays, silty clay, and sandy clay with traces of sandstone, dolomite and chert overlie bedrock. Bedrock was encountered from 18.5 to 29 feet. Groundwater is at a depth of approximately 49 to 50 feet. Perched groundwater conditions appear to be present periodically above the unconsolidated clay at depths of 12 to 21 feet.

A copy of the most recent site investigation report has been provided to the copy shop. The complete case file will not be directly available through the copy shop. The case file is available for review upon request.

#### **2) Minimum Remedial Requirements:**

The WDNR is requesting that consultants submit a bid for costs associated with free product removal and one year of quarterly groundwater monitoring. The bid is not a cost to closure.

- a. Conduct 22 soil borings to a depth of 20 feet to assess the remaining contaminant concentrations in the area of the former storage tanks. Two soil borings are to be conducted at each former tank location and the loading area. Collect soil samples from the soil borings at continuous two foot intervals. Two soil samples from each soil boring will be submitted for laboratory analysis for petroleum volatile organic compounds (PVOC), polycyclic aromatic hydrocarbons (PAH) and lead for the one former diesel and the four fuel oil storage tanks and PVOC and lead for the five gasoline storage tanks. One of the soil samples shall be collected from within four feet of the ground surface and one at the interval below four feet with the highest contamination based on field observations or at the water table. All soil borings shall be properly abandoned according to NR141 Wis. Admin. Code. Soil boring abandonment shall be documented on Department form 3300-5B (Well/drillhole/borehole Abandonment). Any waste generated during the work scope activities must be disposed of properly. Associated disposal costs must be included in the bid response for each activity.
- b. Conduct four rounds of quarterly groundwater monitoring on all existing site monitoring wells and piezometers. At a minimum, monitoring will include: measurement of water level and free product level (if present) in each monitoring well during each sampling round. Laboratory analysis of the groundwater samples will be conducted for PVOC and PAH. Any waste generated during the work scope activities must be disposed of properly.

Associated disposal costs must be included in the bid response for each activity.

- c. In addition to the Comm 47 reporting requirements, a brief letter is to be submitted within 45 days of the receipt of the laboratory data for the soil sampling or groundwater sampling for each event, which will include, but not limited to soil sampling data and groundwater monitoring data.
- d. While this bid is not a bid to closure, there is a possibility of attaining closure at the conclusion of the work scope conducted under this bid. If closure is appropriate, prepare and submit a complete closure report and GIS Registry packet (consistent with ch. NR 726, Wis. Adm. Code requirements) for closure consideration. For the purposes of the bid, bidders should include all closure-related costs (including, but not limited to final well abandonment costs, closure form and narrative, GIS packet, deed restriction and maintenance plan) in their bid total. On page three of the bid response, provide a separate line item that provides the amount of the total bid cost that is associated with the closure-related costs. If closure is available following the work scope activities conducted, then the cost cap established by this bid will be modified by the amount of the closure-related costs.

Bidders shall provide line item costs for all the activities listed above in the table provided on the 3<sup>rd</sup> Page of the Bid Response. If a completed 3<sup>rd</sup> page is not included with the Bid Response, the Bid Response will be determined to be non-responsive. The winning bidder will not be allowed to move costs between the scope of work items without prior Commerce approval.

### 3) Reporting Timeframes:

Within 60 days of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within 45 days of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there maybe additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

**4) Claim Submittal:**

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. Claim preparation costs must be included in the Total Bid Amount and is considered within the reimbursement cap.

**B) Bidder's Strategy for Remedial Action**

Provide a detailed description of the work to be performed. The description must provide sufficient detail to establish that the proposed strategy will be successful in completing the specified scope of work identified above.

**C) Questions and Answers**

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

**SECTION 3 - Conditions of Bid**

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

#### **SECTION 4 - Instructions to Bidders**

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed directly to the program. Documents received by fax will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid

is not allowed. No bid shall be altered or amended after the time specified for the bid end date.

8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

### **SECTION 5 - Bidder Disqualification**

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

- 1) Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
- 2) Failed to complete the scope of work in a bid in a timely manner.
- 3) Failed to follow DNR rules on the bid project.
- 4) Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
- 5) In any prior occurrence that has been publicly bid, failed to do either of the following:
  - a. Pay subcontractors after receiving payment for them.
  - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
- 6) Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
- 7) Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

**BID RESPONSE**  
**(1<sup>st</sup> Page)**

Department of Commerce PECFA Program

**SITE NAME:** Cuba City Oil Co Bulk Plant  
**COMMERCE #:** problem of\_get\_site\_occ\_info  
sit\_commerce\_name2  
**BRRTS #:** 02-22-176594

Submit Bid Response To: Cathy Voges  
Public Bid Response  
Department of Commerce PECFA Bureau  
201 W Washington Ave, Madison WI 53703-2790 or  
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: ( ) - \_\_\_\_\_

Fax Number: ( ) - \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License #	_____
<input type="checkbox"/>	Professional Geologist	License #	_____
<input type="checkbox"/>	Hydrologist	License #	_____
<input type="checkbox"/>	Soil Scientist	License #	_____

Total Bid Amount: \$ \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: \_\_\_\_\_

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

**BID RESPONSE**  
**(2<sup>nd</sup> Page)**

Department of Commerce PECFA Program

**SITE NAME: Cuba City Oil Co Bulk Plant**  
**COMMERCE #: 53807-1400-22**  
**BRRTS #: 02-22-176594**

**Consulting Firm Name:** \_\_\_\_\_

A bid will be considered to be non-complaint if the bid response does not include separate tabulation of cost for each activity.

1	Conduct soil borings (includes analytical costs)	\$	
2	Conduct quarterly groundwater monitoring (includes analytical costs)	\$	
	Number of groundwater monitoring events		X4
	Subtotal for groundwater monitoring	\$	
3	Prepare quarterly reports documenting completion of the bid work scope and reporting requirements in Comm 47.70	\$	
4	Contingency cost for all closure-related costs, including but not limited to case summary and closeout form and report, GIS Registry requirements, appropriate notification to the public, and well abandonment costs	\$	
5	PECFA Claim Preparation	\$	
6	Total Bid Amount	\$	



**BID RESPONSE**

**(3<sup>rd</sup> Page)**

Department of Commerce PECFA Program

**SITE NAME:**

**COMMERCE #:**

**BRRTS #:**

**Consulting Firm Name:** \_\_\_\_\_

This response must address all of the site-specific requirements identified in Section 2, and shall support in detail the remedial strategy. Attach additional pages if necessary. *The Commerce Number and Consulting Firm name must be included on all additional pages.* The pages of each Bid Response must be **stapled** together. No paper clips or spiral bindings please.